IN THE HIGH COURT OF JUDIATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3652 OF 1992

Dr.Kiran Ratan Bhatevare .. Petitioner.
Vs.
Vaman B.Bhagat & Anr. .. Respondents.

Mrs.Anita Agarwal for the petitioner.
Mr.Chetan Agarwal for the respondents.

CORAM : D.B.BHOSALE, J.

DATED : 5TH OCTOBER, 2005

P.C.:

. Mrs.Agarwal, learned counsel for the petitioner submits that the petitioner has filed independent suit being civil suit No.4 of 2004 for declaration and prepetual injunction and in that suit the petitioner has obtained interim orders. She further submits that the subject matter in that suit and the present suit is one and same. The petitioner has filed suit in view of subsequent development as reflected in civil application No.137 of 2004. In view of this she submits that nothing further survives in the petition and the same has become infructuous. Mr.Agarwal, learned counsel for the respondents does not dispute the statement made by Mrs.Agarwal, learned counsel for the petitioner. The writ petition is disposed of as infructuous.

(D.B.Bhosale, J.)